

April 12, 2005

Docket No. TPI-T400C2Z1  
Serial No. 10/694,640

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : William H. Beisner  
Art Unit : 1744  
Applicants : Michael J. Cima, Hongming Chen, J. Richard Gyory, Anthony V. Lemmo  
Serial No. : 10/694,640  
Filed : October 27, 2003  
Conf. No. : 3998  
For : System and Method for Optimizing Tissue Barrier Transfer of Compounds

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

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Sir:

The owner, TransForm Pharmaceuticals, Inc., of 100% interest in the above-identified patent application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer, of prior Patent No. 6,852,526. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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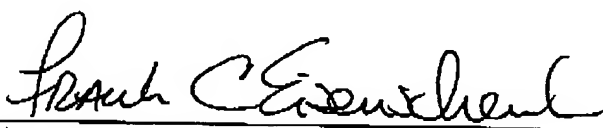
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- ☐ \$130.00 (large entity) for the terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account No. 19-0065.

Date

April 12, 2005  
Frank C. Eisenschenk, Ph.D.

Patent Attorney

Reg. No. 45,332

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: Saliwanchik, Lloyd &amp; Saliwanchik

A Professional Association

P.O. Box 142950

Gainesville, FL 32614-2950

FCE/ssa